

Senate Study Bill 3051 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON ZUMBACH)

A BILL FOR

1 An Act providing a personal use exemption from inspection and
2 licensing requirements of the Meat and Poultry Inspection
3 Act.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 189A.4, Code 2022, is amended to read as
2 follows:

3 **189A.4 Exemptions.**

4 ~~In order to accomplish the objectives of this chapter, the~~
5 ~~secretary may exempt the following types of operations from~~
6 ~~inspection:~~

7 1. a. Slaughtering and preparation by any person of
8 livestock and poultry of the person's own raising exclusively
9 for use by the person and members of the person's household,
10 and the person's nonpaying guests and employees. A person who
11 owns and raises and slaughters livestock, processes the carcass
12 of the livestock, prepares articles from the carcass, including
13 livestock products, and who may transport the articles, for
14 the exclusive use of the person, a member of the person's
15 household, a nonpaying guest of the person, or a nonpaying
16 employee of the person, is exempt from the inspection and
17 licensing requirements of this chapter, to the same extent and
18 under the same conditions that such a person is exempt from
19 inspection provisions of the federal Meat Inspection Act as
20 provided in 9 C.F.R. §303.1(a)(1).

21 b. A person who owns or raises and slaughters poultry,
22 processes the carcass of the poultry, prepares articles from
23 the carcass, including poultry products, and who may transport
24 the articles, for the exclusive use of the person, a member
25 of the person's household, a nonpaying guest of the person,
26 or a nonpaying employee of the person, is exempt from the
27 provisions of this chapter, to the same extent and under the
28 same conditions that a person is exempt from the provisions of
29 the federal Poultry Products Inspection Act as provided in 9
30 C.F.R. §381.10(a)(3).

31 2. Any ~~The secretary may exempt any other operations~~
32 ~~which person from the provisions of this chapter, if the~~
33 ~~secretary may determine would best be exempted to~~ determines
34 the exemption would best further the purposes of ~~this chapter,~~
35 ~~to the extent such exemptions conform to~~ and the exemption

1 complies with the federal Meat Inspection Act and or the
2 federal Poultry Products Inspection Act and the, including
3 regulations thereunder adopted under those Acts.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 BACKGROUND. This bill amends the "Meat and Poultry
8 Inspection Act" (Iowa Act), which is administered and enforced
9 by the department of agriculture and land stewardship (DALs)
10 and which regulates a business engaged in the slaughter of
11 livestock or poultry, the processing of the livestock or
12 poultry, and the preparation of meat products or poultry
13 products derived from those slaughtered animals. The meat or
14 poultry product is generically referred to as an "article".
15 DALs regulates these activities on an intrastate basis under
16 a cooperative agreement with the United States department
17 of agriculture (USDA), which administers and enforces two
18 complementary Acts (federal Acts): the federal Meat Inspection
19 Act as amended by the Wholesome Meat Act (21 U.S.C. chapter 12)
20 and the federal Poultry Products Inspection Act as amended by
21 the Wholesome Poultry Products Act (21 U.S.C. chapter 10). In
22 both cases, USDA regulates businesses engaged in interstate or
23 foreign commerce but may regulate any business if it determines
24 that the state enforcement of its statutes does not at least
25 equal federal enforcement of the federal Acts (Code section
26 189A.3(3)).

27 BILL'S PROVISIONS. The bill creates a personal use
28 exception to the inspection and licensing provisions in the
29 Iowa Act for livestock and poultry based on two such exemptions
30 in the federal Acts. Under the federal Meat Inspection Act,
31 the owner raising livestock must slaughter and process the
32 livestock; the prepared articles derived from the processed
33 livestock must be fit for human consumption; the articles must
34 be prepared, packaged, or held under sanitary conditions;
35 and the articles must be for the personal use of the owner

1 raising the livestock, a member of the owner's household, or
2 a nonpaying guest or employee. Under the federal Poultry
3 Products Inspection Act, similar requirements apply. The owner
4 or producer of poultry must slaughter and process the poultry;
5 the poultry must be healthy when slaughtered and processed;
6 the poultry must be slaughtered and processed under sanitary
7 conditions; the poultry product derived from the slaughtered
8 poultry must be for their private use, or the private use of
9 a member of their household or a nonpaying guest or employee;
10 the poultry product cannot be sold or donated; and any shipping
11 containing an article must include information about the
12 producer.

13 The bill eliminates a provision that grants DALS authority
14 to adopt rules providing the same personal use exception.